

**SUPREME COURT MINUTES  
WEDNESDAY, MAY 12, 2004  
SAN FRANCISCO, CALIFORNIA**

**S122816**

B162812 Second Appellate District,  
Division Three

**PEOPLE v. HUDSON**

Petition for review granted; issues limited

The issues to be briefed and argued are limited to the following: (1) What circumstances properly should be considered in determining whether a peace officer's motor vehicle is distinctively marked within the meaning of section 2800.1, subdivision (a)(3) of the Vehicle Code? (2) Does the trial court have a sua sponte duty to instruct the jury regarding the meaning of the term "distinctively marked" as used in Vehicle Code section 2800.1, subdivision (a)(3), and if so, how should that term be defined?

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Brown, and Moreno, JJ.

**S123054**

B167843 Second Appellate District,  
Division Seven

**HICKS v. S.C. (KAUFMAN AND BROAD HOME CORP.)**

Petition for review granted

Request for judicial notice granted.

Votes: George, C.J., Kennard, Werdegarr, and Moreno, JJ.

**S123074**

C042876 Third Appellate District

**PEOPLE v. SMITH**

Petition for review granted

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Brown, and Moreno, JJ.

**S123203**

B152948 Second Appellate District,  
Division Four

**RUSHEEN v. COHEN**

Petition for review granted; issues limited

The issues to be briefed and argued are limited to the following: (1) Are actions taken to collect a judgment, such as obtaining a writ of execution and levying on the judgment debtor's property, protected by the litigation privilege of Civil Code section 47, subdivision (b),

as "communications" in the course of a judicial proceeding? (2) Is a claim for abuse of process based on the filing of an allegedly false declaration of service barred by the litigation privilege on the ground the claim is necessarily founded on a communicative act?"

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Brown, and Moreno, JJ.

**S123238**

G030681 Fourth Appellate District,  
G030825 Division Three

MW ERECTORS INC. v. NIEDERHAUSER  
ORNAMENTAL & METAL WORKS CO., INC.  
Petition for review granted

Votes: George, C.J., Kennard, Baxter, Werdegar, Brown, and Moreno, JJ.

**S123722**

F043006 Fifth Appellate District

N. (HOWARD). IN RE  
Petition for review granted

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Brown, and Moreno, JJ.

**S123853**

B156420 Second Appellate District,  
Division Three

WALKER v. LOS ANGELES M.T.A.  
Petition for review granted

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, and Moreno, JJ.

**S124003**

A098872 First Appellate District,  
Division Four

PEOPLE v. GARCIA  
Petition for review granted

Votes: George, C.J., Kennard, Baxter, Werdegar, and Moreno, JJ.

**S123133**

C040754 Third Appellate District

PEOPLE v. BRENDLIN  
Issues ordered limited

The issues to be briefed and argued in this case are the following: (1) Was defendant, as a vehicle subjected to a traffic stop, thereby "detained" for purposes of the Fourth Amendment, thus allowing him to contest the

legality of the stop? (2) Could the vehicle be stopped on reasonable suspicion that it was being operated while unregistered, in violation of the Vehicle Code, when it exhibited an expired license plate registration tag, but also displayed what appeared from a distance to be a current temporary registration permit?

**S123905**

C041861 Third Appellate District

**GRADLE v. DOPPELMAYR USA**

Review granted/briefing deferred (rule 29.1)

Further action in this matter is deferred pending consideration and disposition of a related issue in *Elsner v. Uveges*, S113799 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Brown, and Moreno, JJ.

**S122770**

H026744 Sixth Appellate District

**GRAVES (HENRY) ON H.C.**

Petition for review denied

Brown, J., was recused and did not participate.

**S122850**B164023 Second Appellate District,  
Division One**SYSTEM DISPOSAL v. HUNTINGDON PARK**

Petition for review denied

**S122887**

F042979 Fifth Appellate District

**BOATMAN (CHRISTOPHER) ON H.C.**

Petition for review denied

Brown, J., was recused and did not participate.

**S122894**D043696 Fourth Appellate District,  
Division One**CITY OF SAN DIEGO v. S.C. (COOK)**

Petition for review denied

The request for judicial notice denied.

**S122896**

C041238 Third Appellate District

**COLLINS v. STATE DEPT OF TRANSPORTATION**

Petition for review denied

**S122915**

A105531 First Appellate District,  
Division Four

ELSTER (JERRY D.) ON H.C.  
Petition for review denied

Brown, J., was recused and did not participate.

**S122948**

B158817 Second Appellate District,  
Division Four

SLANEY v. RANGER INSURANCE CO.  
Petition for review & depublication requests denied

**S122951**

D041385 Fourth Appellate District,  
Division One

PEOPLE v. CHAVEZ  
Petition for review denied

**S122961**

A105355 First Appellate District,  
Division One

BUTLER (DOUGLAS) ON H.C.  
Petition for review denied

Brown, J., was recused and did not participate.

**S122974**

C042445 Third Appellate District

LEWIS, MARRIAGE OF  
Petition for review & publication request denied

**S122978**

B172654 Second Appellate District,  
Division Four

BENSON (NORRIS) ON H.C.  
Petition for review denied

Request for judicial notice denied.

**S122979**

H027036 Sixth Appellate District

HOUSTON (BERNARD) ON H.C.  
Petition for review denied

Brown, J., was recused and did not participate.

**S122985**

D043672 Fourth Appellate District,  
Division One

WASKO (JOSEPH M.) ON H.C.  
Petition for review denied

Brown, J., was recused and did not participate.

**S123006**

E035239 Fourth Appellate District,  
Division Two

BELLO (LEO) ON H.C.  
Petition for review denied

**S123008**

D043791 Fourth Appellate District,  
Division One

CASS (MANUEL) ON H.C.

Petition for review denied

**S123010**

B173305 Second Appellate District,  
Division Seven

HUDSON (ROBERT STEVEN) ON H.C.

Petition for review denied

Brown, J., was recused and did not participate.

**S123030**

B173212 Second Appellate District,  
Division Two

BAGNERISE (JOHN), IN RE

Petition for review denied

Brown, J., was recused and did not participate.

**S123033**

A104904 First Appellate District,  
Division Two

JACKMON (BERNARD) ON H.C.

Petition for review denied

**S123035**

B162358 Second Appellate District,  
Division One

JAISINGHANI v. AMERICAN PRESIDENT LINES

Petition for review denied

**S123059**

B163106 Second Appellate District,  
Division Eight

ALDEN v. NELSON

Petition for review & publication requests denied

**S123069**

A105402 First Appellate District,  
Division Four

HARRIS (TERRENCE) ON H.C.

Petition for review denied

Brown, J., was recused and did not participate.

**S123091**

B173259 Second Appellate District,  
Division Two

LEWIS (SAMUEL) ON H.C.

Petition for review denied

Brown, J., was recused and did not participate.

**S123093**

D043807 Fourth Appellate District,  
Division One

GRANT (KEITH) ON H.C.

Petition for review denied

Brown, J., was recused and did not participate.

**S123094**

C041611 Third Appellate District

JRS PRODUCTS INC. v. MATSUSHITA ELECTRIC  
Petitions for review denied**S123110**E035270 Fourth Appellate District,  
Division TwoDAWOOD v. S.C. (PEOPLE)  
Petition for review denied**S123118**G031651 Fourth Appellate District,  
Division ThreeBLITZ v. FLUOR ENTERPRISES  
Petition for review denied; CA opinion decertified

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed January 26, 2004, which appears at 115 Cal.App.4th 185. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

Kennard, J., is of the opinion the petition should be granted.

**S123121**

F035773 Fifth Appellate District

PEOPLE v. MOUSER  
Petition for review denied**S123132**E034738 Fourth Appellate District,  
Division TwoCABAZON BAND v. S.C. (DCD DEVELOPMENT)  
Petition for review denied**S123144**D041243 Fourth Appellate District,  
Division OnePEOPLE v. RIGBY-FENE  
Petition for review & publication request denied**S123145**B164069 Second Appellate District,  
Division FourVALLEY VIEW DEV. v. HENRICHS (BLAHA)  
Petition for review denied

Request for judicial notice granted.

**S123148**HENRICHS v. CA 2/4 (VALLEY VIEW DEV.)  
Petition for writ of mandate/prohibition & stay denied**S123204**A101235 First Appellate District,  
Division ThreeMORAGA-ORINDA FIRE v. WEIR (MORAGA DEL  
REY HOMEOWNERS ASSN.)  
Petition for review denied

**S123215**

B163313 Second Appellate District,  
Division Three

ROTHENBERG SAWASY ARCHITECTS v.  
STERNLICHT

Petition for review denied

**S123220**

A096034 First Appellate District,  
Division Four

PEOPLE v. ALI

Petition for review denied

**S123234**

C045568 Third Appellate District

KLAT v. CA 3 (BD. OF REGISTERED NURSING)

Petition for writ of mandate/prohibition & stay denied

**S123241**

B160393 Second Appellate District,  
Division Two

BASHKIN v. RAND

Petition for review denied

**S123242**

B165949 Second Appellate District,  
Division Two

RETANA v. TIG INSURANCE CO.

Petition for review & publication request denied

**S123251**

H026768 Sixth Appellate District

VELA (ABELARDO JR.) ON H.C.

Petition for review denied

**S123320**

B169630 Second Appellate District,  
Division Four

R. (TONESHA), IN RE

Petition for review denied

**S123337**

B164320 Second Appellate District,  
Division Seven

BRAM v. DELMONICOS SEAFOOD BAY INC.

Petition for review denied

**S123343**

A104748 First Appellate District,  
Division Four

C. (COLE), IN RE

Petition for review denied

**S123355**

C043107 Third Appellate District

SCHWARTZ v. DEBBER

Petition for review denied

**S123357**

B162246 Second Appellate District,  
Division Five

JIMENA v. 111 ZUMA CORPORATION

Petition for review denied

**S123368**

C040892 Third Appellate District

PEOPLE v. VANEK

Petition for review denied

**S123375**

F044163 Fifth Appellate District

HUGHES (LEE EDWARD) ON H.C.

Petition for review denied

Baxter, J., was recused and did not participate.

**S123378**

F044928 Fifth Appellate District

WOHL (STEVEN J.) ON H.C.

Petition for review denied

**S123387**B161464 Second Appellate District,  
Division Three

VAUGHN v. ENDEAVOR AGENCY

Petition for review denied

**S123392**

KLAT v. CA 4/1 (U.C. REGENTS)

Petition for writ of mandate/prohibition &amp; stay denied

**S123402**B162576 Second Appellate District,  
Division Seven

PEOPLE v. WASHINGTON

Petition for review denied

**S123414**E034696 Fourth Appellate District,  
Division One

PEOPLE v. PERRY

Petition for review denied

**S123443**

F042929 Fifth Appellate District

PEOPLE v. THRONE

Petition for review denied

Kennard, J., is of the opinion the petition should  
be granted.**S123457**B161293 Second Appellate District,  
Division Two

PEOPLE v. QUIJAS

Petition for review denied

**S123476**

BELL v. CA 2/5 (PEOPLE)

Petition for writ of mandate/prohibition denied

**S123477**A096721 First Appellate District,  
Division One

BELL v. FARMERS INSURANCE EXCHANGE

Petition for review denied

Request for judicial notice denied.



**S123483**

B169192 Second Appellate District,  
Division Five

## JONES v. LANCASTER NEWPORTER

Petition for review and application for stay denied

**S123515**

B152138 Second Appellate District,  
Division Four

MORGAN v. NORTHRIDGE HOSPITAL MEDICAL  
CENTER

Petition for review denied

**S123525**

H022070 Sixth Appellate District

## PEOPLE v. LAIWALA

Petition for review denied; CA opinion decertified

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed February 10, 2004, which appears at 115 Cal.App.4th 850. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

Kennard, J., is of the opinion the petition should be granted.

**S123530**

A101336 First Appellate District,  
Division Three

## PEOPLE v. JIMENEZ

Petition for review denied

**S123531**

B173221 Second Appellate District,  
Division Five

## BROWNLOW (GREGORY) ON H.C.

Petition for review denied

**S123541**

G031167 Fourth Appellate District,  
Division Three

## PEOPLE v. LAEM

Petitions for review denied

**S123545**

H025397 Sixth Appellate District  
H025473

## PEOPLE v. RODRIGUEZ

Petition for review denied

**S123546**

H025496 Sixth Appellate District  
H026578

## PEOPLE v. SWANGER

Petition for review denied

**S123547**

C041837 Third Appellate District

## PEOPLE v. ALONSO

Petition for review denied

**S123548**

F042008 Fifth Appellate District

BINION v. STORER TRANSPORTATION CO.  
Petition for review & publication request denied**S123549**B165596 Second Appellate District,  
Division SixPEOPLE v. JUAREZ  
Petition for review deniedKennard, J., is of the opinion the petition should  
be granted.**S123552**

H025084 Sixth Appellate District

PEOPLE v. SALAZAR  
Petition for review denied**S123559**H025190 Sixth Appellate District  
H026718PEOPLE v. BRACKETT (BRENT)  
Petition for review denied**S123561**H026718 Sixth Appellate District  
H025190BRACKETT (BRENT) ON H.C.  
Petition for review denied**S123565**A101940 First Appellate District,  
Division FiveW. (MARCUS), IN RE  
Petition for review denied**S123567**A103203 First Appellate District,  
Division FiveM. (ASHLEY) , IN RE  
Petition for review denied**S123569**B164220 Second Appellate District,  
B168699 Division OnePEOPLE v. MALVEAUX  
Petition for review denied**S123570**B163950 Second Appellate District,  
Division TwoPEOPLE v. LOCKE  
Petition for review denied**S123580**B160551 Second Appellate District,  
Division TwoPEOPLE v. BRAVO  
Petition for review denied

**S123591**COBB v. CA 2/5 (UNIVERSITY OF SO CALIF)  
Petition for writ of mandate/prohibition denied**S123598**B165449 Second Appellate District,  
Division OnePEOPLE v. CARMICHAEL  
Petition for review denied**S123602**E035370 Fourth Appellate District,  
Division TwoTHOMPSON (DEWAYNE) ON H.C.  
Petition for review denied**S123617**

F044699 Fifth Appellate District

LEIVA (SAUL R.) ON H.C.  
Petition for review denied**S123623**B161060 Second Appellate District,  
Division SixPEOPLE v. WASHINGTON  
Petition for review denied**S123627**B163268 Second Appellate District,  
Division FourPEOPLE v. REVELL  
Petition for review denied**S123630**B168117 Second Appellate District,  
Division SixKRUPNICK v. DUKE ENERGY MORRO BAY  
Petition for review denied**S123631**

F041284 Fifth Appellate District

PEOPLE v. TORRES  
Petition for review denied**S123632**E033926 Fourth Appellate District,  
Division TwoPEOPLE v. JAIMES  
Petition for review denied**S123635**A100041 First Appellate District,  
Division OnePEOPLE v. CAMPHOR  
Petition for review denied**S123636**

F042121 Fifth Appellate District

PEOPLE v. MONTANO  
Petition for review denied

**S123637**

B157904 Second Appellate District,  
B164980 Division Three

PEOPLE v. HALL / THOMAS  
Petitions for review denied

**S123639**

B172879 Second Appellate District,  
Division Two

YERESSIAN v. W.C.A.B. (RALPHS)  
Petition for review denied

**S123642**

D042452 Fourth Appellate District,  
Division One

PEOPLE v. SINGLETON  
Petition for review denied

**S123643**

E033412 Fourth Appellate District,  
E034393 Division Two

PEOPLE v. CASTILLO  
Petition for review denied

**S123658**

C042413 Third Appellate District

PEOPLE v. FORD  
Petition for review denied

**S123666**

A100422 First Appellate District,  
A100476 Division Four  
A100477

PEOPLE v. MANCHA  
Petitions for review denied

**S123669**

G031199 Fourth Appellate District,  
Division Three

PEOPLE v. MATHEWS  
Petition for review denied

**S123670**

G026435 Fourth Appellate District,  
Division Three

PEOPLE v. CAUDILLO  
Petition for review denied

**S123672**

A100185 First Appellate District,  
Division Two

PEOPLE v. SMYTH  
Petition for review denied

**S123682**

D041613 Fourth Appellate District,  
Division One

PEOPLE v. PERRY  
Petition for review denied

**S123683**

A100584 First Appellate District,  
Division Three

PEOPLE v. TSEHAI

Petitions for review denied

**S123685**

B163491 Second Appellate District,  
Division Five

PEOPLE v. ALVAREZ

Petition for review denied

**S123690**

C044074 Third Appellate District

PEOPLE v. ROYSTER

Petition for review denied

**S123702**

C043276 Third Appellate District

PEOPLE v. GUSTER

Petition for review denied

**S123705**

E033597 Fourth Appellate District,  
Division Two

PEOPLE v. NICHOLSON

Petition for review denied

**S123714**

A103038 First Appellate District,  
Division One

GAMBLE v. FOGEL

Petition for review denied

**S123716**

C041516 Third Appellate District

PEOPLE v. LOPES

Petition for review denied

**S123717**

B156765 Second Appellate District,  
Division One

HYDRO-MILL v. HAYWARD TILTON & ROLAPP

Petition for review denied

**S123718**

B165952 Second Appellate District,  
Division Four

PEOPLE v. RENTERIA

Petition for review denied

**S123721**

A100642 First Appellate District,  
Division Two

T. (JOSEPH), IN RE

Petition for review denied

**S123725**

B155072 Second Appellate District,  
Division Six

PEOPLE v. HUNT

Petition for review denied

**S123726**

B162368 Second Appellate District,  
Division Eight

PEOPLE v. PEREZ

Petition for review denied

**S123732**

G032427 Fourth Appellate District,  
Division Three

C. (ANTONIO), IN RE

Petition for review denied

**S123733**

C044294 Third Appellate District

PEOPLE v. NJIRICH

Petition for review denied

**S123737**

B168017 Second Appellate District,  
Division Five

PEOPLE v. SPIKES

Petition for review denied

**S123741**

A102697 First Appellate District,  
Division One

ESCOBAR, MARRIAGE OF

Petition for review & publication request denied

**S123746**

A101812 First Appellate District,  
Division Five

PEOPLE v. COOK

Petition for review denied

**S123747**

B164659 Second Appellate District,  
Division Six

PEOPLE v. SHEPPARD

Petition for review denied

**S123748**

B166813 Second Appellate District,  
Division Four

PEOPLE v. CERDA

Petition for review denied

**S123750**

B167623 Second Appellate District,  
Division One

B. (KASTLE), IN RE

Petition for review denied

**S123753**

B163280 Second Appellate District,  
Division One

PEOPLE v. DANIELS

Petition for review denied

**S123756**

B159689 Second Appellate District,  
Division Seven

RITCHIE v. KONRAD

Petition for review denied

**S123758**

F042313 Fifth Appellate District

PEOPLE v. YOUNG

Petition for review denied

**S123759**A102523 First Appellate District,  
Division One

PEOPLE v. ROUGEAU

Petition for review denied

**S123760**B173282 Second Appellate District,  
Division Four

MORGAN v. S.C. (NORTHRIDGE HOSPITAL)

Petition for review denied

**S123761**B166510 Second Appellate District,  
Division Eight

PEOPLE v. FRIERSON

Petition for review denied

**S123762**

F042638 Fifth Appellate District

PEOPLE v. CASTRO

Petition for review denied

**S123765**E033601 Fourth Appellate District,  
Division Two

TADEMA v. HETTINGA

Petition for review denied

**S123767**E035495 Fourth Appellate District,  
Division Two

SUMMERS (GEORGE EDWARDS) ON H.C.

Petition for review denied

**S123769**D042160 Fourth Appellate District,  
Division One

PEOPLE v. SOTO

Petition for review denied

**S123774**

F041262 Fifth Appellate District

PEOPLE v. MARTINEZ

Petition for review denied

**S123776**A102526 First Appellate District,  
Division One

H. (AUSTIN), IN RE

Petition for review denied

**S123778**B167389 Second Appellate District,  
Division Four

PEOPLE v. CALBERT

Petition for review denied

Petition for review of order denying motion for  
approval of expert witness fees denied.

**S123780**

G030907 Fourth Appellate District,  
Division Three

PEOPLE v. DOMINGUEZ

Petition for review denied

**S123781**

B165135 Second Appellate District,  
Division One

PEOPLE v. VASQUEZ

Petition for review denied

**S123782**

B163162 Second Appellate District,  
Division Eight

PEOPLE v. RIVERA

Petition for review denied

**S123788**

C040715 Third Appellate District

PEOPLE v. WARD

Petition for review denied

**S123789**

F040799 Fifth Appellate District

PEOPLE v. ESPARZA

Petition for review denied

**S123795**

G032402 Fourth Appellate District,  
Division Three

HUNTINGTON BEACH UNION HIGH v. PUBLIC  
EMPLOYMENT RELATIONS BD. (DIST. EDUC.)

Petition for review denied

Request for judicial notice denied.

**S123797**

B164140 Second Appellate District,  
Division Six

PEOPLE v. ORTIZ

Petition for review denied

**S123798**

B166421 Second Appellate District,  
Division Five

PEOPLE v. BLACK

Petition for review denied

**S123799**

A099621 First Appellate District,  
Division Two

PEOPLE v. SPEARS

Petition for review denied

**S123800**

H025941 Sixth Appellate District

M. (DANIEL), IN RE

Petition for review denied



**S123801**

B164941 Second Appellate District,  
Division Two

PEOPLE v. STACY (SHANAY S.)  
Petition for review denied

**S123802**

B168636 Second Appellate District,  
Division Two

STACY (SHANAY S.) ON H.C.  
Petition for review denied

**S123804**

H025347 Sixth Appellate District

COUNTY OF SANTA CLARA v. AKAN-ETUK  
Petition for review denied

**S123805**

A101244 First Appellate District,  
Division One

VERNON v. STATE OF CALIFORNIA  
Petition for review denied

**S123809**

D043862 Fourth Appellate District,  
Division One

CARNOHAN v. S.C. (NEWCOMB)  
Petition for review denied

**S123810**

A102159 First Appellate District,  
Division One

PEOPLE v. FROCHEN  
Petition for review denied

**S123811**

F037262 Fifth Appellate District

PEOPLE v. WHITE (DAVID E.)  
Petition for review denied

**S123812**

A102112 First Appellate District,  
Division Three

PEOPLE v. AYALA (MARTIN R.)  
Petition for review denied

**S123819**

B173890 Second Appellate District,  
Division Five

GADLIN v. CA 2/5 (PEOPLE)  
Petition for writ of mandate/prohibition denied

**S123822**

E032939 Fourth Appellate District,  
Division Two

PEOPLE v. QUIROZ  
Petition for review denied

<b>S123823</b> B164857 Second Appellate District, Division Six	PEOPLE v. COFFMAN Petition for review denied
<b>S123826</b> D042536 Fourth Appellate District, Division One	D. (KEITH), IN RE Petition for review denied
<b>S123827</b> B166821 Second Appellate District, Division Six	PEOPLE v. EDWARDS Petition for review denied
<b>S123834</b> B164666 Second Appellate District, Division One	PEOPLE v. DAVIN Petition for review denied
<b>S123835</b> E033059 Fourth Appellate District, Division Two	PEOPLE v. BREWSTER Petition for review denied
<b>S123836</b> A101970 First Appellate District, Division Five	PEOPLE v. RIVERA Petition for review denied
<b>S123838</b> H024425 Sixth Appellate District	PEOPLE v. CAMPOS Petition for review denied
<b>S123839</b> E032737 Fourth Appellate District, Division Two	PEOPLE v. HERNANDEZ Petition for review denied
<b>S123840</b> B165844 Second Appellate District, Division Five	PEOPLE v. CHAVEZ Petition for review denied
<b>S123841</b> F041184 Fifth Appellate District	PEOPLE v. MEDINA Petition for review denied
<b>S123842</b> G030463 Fourth Appellate District, Division Three	PEOPLE v. CONOVER Petition for review denied

**S123843**

E032707 Fourth Appellate District,  
Division Two

PEOPLE v. MCDANIEL  
Petition for review denied

**S123845**

C042827 Third Appellate District

WILCOX v. CALIF. STATE AUTOMOBILE ASSOC.  
Petition for review denied

**S123846**

A101536 First Appellate District,  
Division Two

PEOPLE v. SMITH (LAMONT D.)  
Petition for review denied

**S123847**

H025490 Sixth Appellate District

VARTANIAN v. CA 6 (INTEL CORPORATION)  
Petition for writ of mandate/prohibition denied

Baxter, J., and Chin, J., were recused and did not  
participate.

**S123848**

B122324 Second Appellate District,  
Division Two

PEOPLE v. HUERTA  
Petition for review denied

**S123850**

D040958 Fourth Appellate District,  
Division One

PEOPLE v. NGUYEN  
Petition for review denied

Kennard, J., and Werdegarr, J., are of the opinion  
the petition should be granted.

**S123851**

H024422 Sixth Appellate District

PEOPLE v. RANDELL  
Petition for review denied

**S123855**

F042639 Fifth Appellate District

PEOPLE v. VAUGHAN  
Petition for review denied

**S123856**

A102924 First Appellate District,  
Division One

PEOPLE v. TIPPINS  
Petition for review denied

**S123857**

C041793 Third Appellate District

PEOPLE v. CANTWELL  
Petition for review denied

**S123858**

B162629 Second Appellate District,  
Division One

PEOPLE v. VASQUEZ

Petition for review denied

**S123859**

G032317 Fourth Appellate District,  
Division Three

SILVER v. GUTIERREZ

Petition for review denied

**S123860**

F041228 Fifth Appellate District

PEOPLE v. WILLIAMS

Petition for review denied

**S123863**

F041361 Fifth Appellate District

PEOPLE v. GLOSS

Petition for review denied

Baxter, J., was recused and did not participate.

**S123866**

A102449 First Appellate District,  
Division Four

PEOPLE v. DANG

Petition for review denied

**S123870**

D041513 Fourth Appellate District,  
Division One

PEOPLE v. PLAISIR

Petition for review denied

**S123871**

A104139 First Appellate District,  
Division Five

MARRO v. FRANCHISE TAX BOARD

Petition for review denied

**S123872**

B162215 Second Appellate District,  
Division Three

PEOPLE v. AINSWORTH

Petition for review denied

**S123873**

H025566 Sixth Appellate District

G. (SAMUEL), IN RE

Petition for review denied

**S123874**

G030729 Fourth Appellate District,  
Division Three

PEOPLE v. RODRIGUEZ

Petition for review denied

**S123875**

F042852 Fifth Appellate District

PEOPLE v. LANAS

Petition for review denied

**S123876**

B165054 Second Appellate District,  
Division Two

## PEOPLE v. HEARD

Petition for review denied

**S123877**

C044164 Third Appellate District

## PEOPLE v. MUNOZ

Petition for review denied

**S123879**

A105169 First Appellate District,  
Division One

## ROUNDS (GEORGE D.) ON H.C.

Petition for review denied

**S123882**

C041901 Third Appellate District

## PEOPLE v. HAYNES

Petition for review denied

**S123883**

H025447 Sixth Appellate District

## C. (FRANCISCO), IN RE

Petition for review denied

**S123884**

H026795 Sixth Appellate District

## C. (FRANCISCO) ON H.C.

Petition for review denied

**S123885**

E035513 Fourth Appellate District,  
Division Two

## PERROTTE (JEFFREY P.) ON H.C.

Petition for review denied

Brown, J., was recused and did not participate.

**S123890**

A100658 First Appellate District,  
Division Three

## PEOPLE v. CALKINS

Petition for review denied

**S123892**

F042058 Fifth Appellate District

## PEOPLE v. HOWELL

Petition for review denied

**S123893**

D042064 Fourth Appellate District,  
Division One

## PEOPLE v. PIPER

Petition for review denied

**S123901**

B166140 Second Appellate District,  
Division One

## PEOPLE v. HARPER

Petition for review denied

**S123904**

D042436 Fourth Appellate District,  
Division One

G. (MARIA), IN RE

Petition for review denied

**S123906**

A100475 First Appellate District,  
Division Two

PEOPLE v. PATTON

Petition for review denied

**S123912**

E033531 Fourth Appellate District,  
Division Two

PEOPLE v. ALLEN

Petition for review denied

**S123914**

B164879 Second Appellate District,  
Division Eight

PEOPLE v. CHAVEZ

Petition for review denied

Kennard, J., is of the opinion the petition should  
be granted.

**S123922**

B166882 Second Appellate District,  
Division Five

PEOPLE v. PULIDO

Petition for review denied

**S123924**

B165260 Second Appellate District,  
Division Seven

L. (BRYAN), IN RE

Petition for review denied

**S123930**

H025411 Sixth Appellate District

PEOPLE v. DEVINE

Petition for review denied

**S123932**

F042175 Fifth Appellate District

PEOPLE v. CAREY

Petition for review denied

Baxter, J., was recused and did not participate.

**S123933**

F043084 Fifth Appellate District

S. (MANUEL), IN RE

Petition for review denied

**S123934**

F045198 Fifth Appellate District

FRANKLIN v. S.C. (PEOPLE)

Petition for review denied

<b>S123936</b> B162319 Second Appellate District, Division Three	PEOPLE v. BEAUFORD Petition for review denied
<b>S123939</b> D042810 Fourth Appellate District, Division One	S. (COURTNEY), IN RE Petition for review denied
<b>S123942</b> G030669 Fourth Appellate District, Division Three	PEOPLE v. FLORES Petition for review denied
<b>S123952</b> B165865 Second Appellate District, Division Two	PEOPLE v. TOVAR Petition for review denied
<b>S123954</b> B170005 Second Appellate District, Division Two	PEOPLE v. BERNARD Petition for review denied
<b>S123958</b> B167174 Second Appellate District, Division Four	PEOPLE v. STAMBAUGH Petition for review denied
<b>S123960</b> C041266 Third Appellate District	PEOPLE v. RATHBUN Petition for review denied
<b>S123961</b> H025544 Sixth Appellate District	PEOPLE v. VALTIERRA Petition for review denied
<b>S123967</b> A100489 First Appellate District, Division Four	PEOPLE v. BREWER Petition for review denied
<b>S123977</b> F041667 Fifth Appellate District	PEOPLE v. RAY Petition for review denied
<b>S124023</b> D042253 Fourth Appellate District, Division One	S. (PETER), IN RE Petition for review denied

**S124082**

JUSTICE v. 4TH APP. DIST. COURT OF APPEAL  
(PEOPLE)  
Petition for writ of mandate/prohibition & stay denied

**S124145**

B174368 Second Appellate District,  
Division Four

SOOS v. S.C. (BACHANI)  
Petition for review and application for stay denied

**S124510**

JUSTICE v. CA 4/1 (PEOPLE)  
Petition for writ of mandate/prohibition & stay denied

**S124528**

D044239 Fourth Appellate District,  
Division One

JUSTICE v. S.C. (PEOPLE)  
Petition for review and application for stay denied

**S108321**

MILIOTTI (TONY) ON H.C.  
Petition for writ of habeas corpus denied

**S108500**

HOLLAND (JASON) ON H.C.  
Petition for writ of habeas corpus denied

**S108553**

HOLLAND (MICAHA) ON H.C.  
Petition for writ of habeas corpus denied

**S110116**

HEIN (BRANDON) ON H.C.  
Petition for writ of habeas corpus denied

**S117304**

HICKS (HARMON) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *In re Waltreus* (1965) 62 Cal.2d 218.)

**S117394**

WARD (HARRY ANTHONY) ON H.C.  
Petition for writ of habeas corpus denied



**S117755**

HEARD (JAMES KENYATTA) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Alvernaz* (1992) 2 Cal.4th 924, 945.)

**S117795**

ADAME (PETE) ON H.C.  
Petition for writ of habeas corpus denied

**S117851**

McCLORE (WILBUR L.) ON H.C.  
Petition for writ of habeas corpus denied

**S117862**

GARCIA (ROBERT) ON H.C.  
Petition for writ of habeas corpus denied

**S117874**

LACY (RONNIE S.) ON H.C.  
Petition for writ of habeas corpus denied

**S117891**

BARBER (ROBERT E.) ON H.C.  
Petition for writ of habeas corpus denied

**S117894**

PHOLON (KENNETH D.) ON H.C.  
Petition for writ of habeas corpus denied

**S117914**

SARKISYAN (MARTIROS) ON H.C.  
Petition for writ of habeas corpus denied

**S117927**

FERGUSON (HUEY) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S117941**

BELL (LEONELL) ON H.C.  
Petition for writ of habeas corpus denied

**S117971**

SPITERI (CARMEL A.) ON H.C.  
Petition for writ of habeas corpus

and motion for constructive filing are denied.

**S118003**

SNOWDEN (BERNARD) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;  
*People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S118015**

THOMAS (MELVIN) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*In re Swain* (1949) 34 Cal.2d 300, 304; *People*  
*v. Duvall* (1995) 9 Cal.4th 464, 474; *In re*  
*Lindley* (1947) 29 Cal.2d 709; *In re Dixon*  
(1953) 41 Cal.2d 756.)

**S118017**

STEPHENS (WALTER) ON H.C.  
Petition for writ of habeas corpus denied

**S118033**

MORA (JOHNNY M.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*In re Clark* (1993) 5 Cal.4th 750; *In re Swain*  
(1949) 34 Cal.2d 300, 304.)

**S118040**

DRISCOLL (KEVIN D.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*In re Clark* (1993) 5 Cal.4th 750; *In re Miller*  
(1941) 17 Cal.2d 734; *In re Dixon* (1953) 41  
Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300,  
304; *In re Waltreus* (1965) 62 Cal.2d 218.)

**S118077**

HUDSON (ARCHER) ON H.C.  
Petition for writ of habeas corpus denied

**S118080**

GARCIA (ROBERT JOHN) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709; *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S118081**

LUCKETT (RONNIE) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S118100**

SHELTON (JOHN) ON H.C.  
Petition for writ of habeas corpus denied

**S118106**

THOMAS (LEONARD B.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S118109**

OLIVAS (ROBERT) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Dexter* (1979) 25 Cal.3d 921.)

Brown, J., was recused and did not participate.

**S118112**

LINSON (VAUGHN) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304.)

**S118113**

MEZHBEIN (ALEXANDER) ON H.C.  
Petition for writ of habeas corpus denied

**S118124**

ESPINO (SANTIAGO SOTO) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S118139**

GOMEZ (LOUIE) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Miller* (1941) 17 Cal.2d 734; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S118140**

AGUILAR (ENRIQUE) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304.)

**S118164**

YOUNG (VINCENT) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S118175**

TAYLOR (PAUL) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S118179**

ACOSTA (JAMIE) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S118181**

VIRAMONTES (JOEL FELIX) ON H.C.  
Petition for writ of habeas corpus denied

**S118211**

BOYKINS (RAYMOND) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756; *In re Waltreus* (1965) 62 Cal.2d 218.)

**S118230**

COLLINS (JOHNNY P.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)

**S118255**

ACINELLI (SAMUEL A.) ON H.C.  
Petition for writ of habeas corpus denied

**S118261**

TEAL (BENNIE JAY) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S118266**

PHELON (KENNETH D.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Lindley* (1947) 29 Cal.2d 709.)

**S118270**

JOHNSON (DAVID WAYNE) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Dexter* (1979) 25 Cal.3d 921.)

Brown, J., was recused and did not participate.

**S118281**

PRATT (CARNELL) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

**S118288**

SIMMONS (LAWRENCE) ON H.C.  
Petition for writ of habeas corpus denied

**S118290**

EVANS (TYRONE) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S118291**

CANNON (TYRRALL F.) ON H.C.  
Petition for writ of habeas corpus denied

**S118294**

VENEGAS (JOSE) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;  
*People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S118296**

DUPREE (JAMES) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Swain* (1949) 34 Cal.2d 300, 304.)

**S118309**

BRACAMONTE (LOUIE) ON H.C.  
Petition for writ of habeas corpus denied

**S118310**

FLAGG (ANTHONY E.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756.)

**S118314**

FRIAS (ALBERTO) ON H.C.  
Petition for writ of habeas corpus denied

**S118316**

HERNANDEZ (MANUEL A.) ON H.C.  
Petition for writ of habeas corpus denied

**S118320**

SULLIVAN (JERRY L.) ON H.C.  
Petition for writ of habeas corpus denied

Brown, J., was recused and did not participate.

**S118322**

LEE (KIRK) ON H.C.  
Petition for writ of habeas corpus denied

**S118323**

DONN (ARON) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

**S118325**

MATTHEWS (STANLEY) ON H.C.  
Petition for writ of habeas corpus denied

**S118329**

YOUNG (VINCENT LINDEN) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S118338**

KUNKEL (PATRICK) ON H.C.  
Petition for writ of habeas corpus denied

**S118354**

GONZALEZ (JUAN M.) ON H.C.  
Petition for writ of habeas corpus denied

**S118368**

GALLARDO (REYNALDO) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S118371**

GONZALEZ (SHEPE) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)

**S118373**

FELIX (ROBERTO) ON H.C.  
Petition for writ of habeas corpus denied

**S118374**

REVIERE (RAYMOND K.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)

**S118375**

NATHAN (ERIC) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)

**S118377**

FLORES (ISAAC) ON H.C.  
Petition for writ of habeas corpus denied

**S118380**

DURBIN (DENNIS W.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S118386**

VIVED (GREGORY GEORGE) ON H.C.  
Petition for writ of habeas corpus denied

**S118388**

CARRASCO (LARRY R.) ON H.C.  
Petition for writ of habeas corpus denied

**S118393**

YATES (JASON) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S118412**

FRYER (ROY J.) ON H.C.  
Petition for writ of habeas corpus denied

**S118417**

THOMPSON (ANTHONY) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S118424**

WINN (AUDREY) ON H.C.  
Petition for writ of habeas corpus denied



**S118426**

VALENCIA (DANNY) ON H.C.  
Petition for writ of habeas corpus denied

**S118434**

WILSON (JACKIE G.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*In re Clark* (1993) 5 Cal.4th 750; *In re Miller*  
(1941) 17 Cal.2d 734.)

**S118439**

VALADEZ (MARCO) ON H.C.  
Petition for writ of habeas corpus denied

(see *In re Waltreus* (1965) 62 Cal.2d 218.)

**S118448**

RHODES (BERNARD) ON H.C.  
Petition for writ of habeas corpus denied

**S118459**

WILLIAMS (JOHNATHAN S.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;  
*People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S118461**

JACOBO (ADRIAN) ON H.C.  
Petition for writ of habeas corpus denied

**S118464**

PIERCE (SEAN WAYNE) ON H.C.  
Petition for writ of habeas corpus denied

**S118468**

TRIANA (JOSE LUIS) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Dixon* (1953) 41 Cal.2d 756; *In re*  
*Waltreus* (1965) 62 Cal.2d 218.)

**S118469**

HENDERSON (HERBERT L.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

**S118472**DESANTIAGO (RICARDO) ON H.C.  
Petition for writ of habeas corpus denied*(See In re Dixon (1953) 41 Cal.2d 756.)***S118497**

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FLORES (FRANCISCO F.) ON H.C.  
Petition for writ of habeas corpus denied*(See In re Swain (1949) 34 Cal.2d 300, 304; People v. Duvall (1995) 9 Cal.4th 464, 474.)***S118503**CRAYON (DUANE) ON H.C.  
Petition for writ of habeas corpus denied**S118515**AU (TRI VI) ON H.C.  
Petition for writ of habeas corpus denied**S118520**SMITH (TIMOTHY) ON H.C.  
Petition for writ of habeas corpus denied*(See In re Clark (1993) 5 Cal.4th 750; In re Lindley (1947) 29 Cal.2d 709; In re Waltreus (1965) 62 Cal.2d 218.)***S118526**DUPREE (CHRISTOPHER) ON H.C.  
Petition for writ of habeas corpus denied*(See In re Waltreus (1965) 62 Cal.2d 218; In re Swain (1949) 34 Cal.2d 300, 304; People v. Duvall (1995) 9 Cal.4th 464, 474.)***S118542**BOLAGH (GABLE A.) ON H.C.  
Petition for writ of habeas corpus denied**S118546**BHAGWAN (KIRTI K.) ON H.C.  
Petition for writ of habeas corpus denied**S118547**BALL (RICHARD) ON H.C.  
Petition for writ of habeas corpus denied*(See In re Clark (1993) 5 Cal.4th 750; In re Robbins (1998) 18 Cal.4th 770, 780.)*

**S118551**

BURKE (CARL JERRY) ON H.C.  
Petition for writ of habeas corpus denied

**S118558**

THOMAS (CURRY D.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Waltreus* (1965) 62 Cal.2d 218.)

**S118563**

EVANS (RANDY) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218.)

**S118564**

JACKSON (ELBERT J.) ON H.C.  
Petition for writ of habeas corpus denied

**S118565**

TELLEZ (RUDY) ON H.C.  
Petition for writ of habeas corpus denied

**S118581**

JOHNSON (LAMORRIS E.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734; *In re Dixon* (1953) 41 Cal.2d 756.)

**S118587**

CORADO (OSCAR L.) ON H.C.  
Petition for writ of habeas corpus denied

**S118589**

KINNAMON (TODD LEE) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

**S118595**

BARRERA (NORASTO) ON H.C.  
Petition for writ of habeas corpus denied

**S118598**

PLATAS (VICTOR) ON H.C.  
Petition for writ of habeas corpus denied

**S118599**

ELLIOTT (DONTA) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;  
*People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S118611**

BUTLER (EVERETT) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*In re Swain* (1949) 34 Cal.2d 300, 304; *In re*  
*Dixon* (1953) 41 Cal.2d 756.)

**S118613**

WHITE (MAGAN) ON H.C.  
Petition for writ of habeas corpus denied

on the merits and because it is untimely. (See *In*  
*re Robbins* (1998) 18 Cal.4th 770, 780.)

**S118616**

LOPEZ (LEONEL CANTU) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*In re Swain* (1949) 34 Cal.2d 300, 304; *People*  
*v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S118618**

PEOPLES (CHARLES LEE) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218; *In re*  
*Lindley* (1947) 29 Cal.2d 709.)

**S118619**

FOSTER (ALLEN) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218.)

**S118648**

THOMPSON (J. HUEY) ON H.C.  
Petition for writ of habeas corpus denied

**S118657**

RICHARDSON (WILLIE) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S118662**

LA JEUNESSE (ROBERT) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218.)

**S118666**

CASTILLO (OSCAR) ON H.C.  
Petition for writ of habeas corpus denied

**S118671**

MARTINEZ (JOSE ELIAS) ON H.C.  
Petition for writ of habeas corpus denied

**S118822**

RODRIGUEZ (VICTOR E.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756.)

**S118823**

SMITH (MARSHALL) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304.)

**S118831**

CACHO (EDWIN TROY) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Lindley* (1947) 29 Cal.2d 709.)

**S118832**

BARRALES (RAFAEL B.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S118869**

RAYA (JESSE) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304.)

**S119009**

GARZA (HECTOR) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218.)

**S119010**

LUCERO (THOMAS ALEX) ON H.C.  
Petition for writ of habeas corpus denied

**S119073**

MACKSON (JONATHAN L.) ON H.C.  
Petition for writ of habeas corpus denied

**S119674**

MACKSON (JONATHAN L.) ON H.C.  
Petition for writ of habeas corpus denied

**S119834**

PENN (CURTIS E.) ON H.C.  
Petition for writ of habeas corpus denied

**S119992**

CRUMPTON (GARY) ON H.C.  
Petition for writ of habeas corpus denied

**S119994**

RAMIREZ (FRANK) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304.)

**S120174**

ANDREWS (ANTOLIN) ON H.C.  
Petition for writ of habeas corpus denied

**S120568**

ANDREWS (ANTOLIN) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *In re Lindley*

(1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756.)

**S120670**

JESSUP (CLAYTON) ON H.C.  
Petition for writ of habeas corpus denied

**S120847**

LAUDERMILL (REGINALD) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780;  
*In re Clark* (1993) 5 Cal.4th 750.)

**S121618**

BELL (HORACE) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709; *In re Waltreus* (1965) 62 Cal.2d 218.)

**S121803**

STINSON (EDWARD) ON H.C.  
Petition for writ of habeas corpus denied

**S122074**

BELL (HORACE) ON H.C.  
Petition for writ of habeas corpus denied

**S123256**

JAMES (MICHAEL) ON H.C.  
Petition for writ of habeas corpus denied

**S123385**

MACKSON (JONATHAN L.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dexter* (1979) 25 Cal.3d 921.)

**S123517**

STINSON (EDWARD) ON H.C.  
Petition for writ of habeas corpus denied

**S123729**

FORD (ISAAC) ON H.C.  
Petition for writ of habeas corpus denied

**S123793**

ANDREWS (ANTOLIN) ON H.C.  
Petition for writ of habeas corpus denied

**S123916**

GONZALES (ROBERT G.) ON H.C.  
Petition for writ of habeas corpus denied

**S123996**

PACE (THOMAS M.) ON H.C.  
Petition for writ of habeas corpus denied

**S124046**

THOMPSON (DEWAYNE) ON H.C.  
Petition for writ of habeas corpus denied

**S124089**

BRITTINGHAM (JAMES) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;  
*People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dexter* (1979) 25 Cal.3d 921.)

**S124168**

FELIX (SCOTT E.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750.)

**S124169**

LINVILLE (CANDY) ON H.C.  
Petition for writ of habeas corpus denied

**S124203**

CARPENTER (GEORGE F.) ON H.C.  
Petition for writ of habeas corpus denied

(see *In re Swain* (1949) 34 Cal.2d 300, 304.)

**S124222**

SHAH (FERNANDO) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Dixon* (1953) 41 Cal.2d 756.)



**S124228**

WILLIAMS (DENNIS E.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;  
*People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S124273**

CARPENTER (GEORGE F.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304.)

**S124296**

ROCHA (FRANK) ON H.C.  
Petition for writ of habeas corpus denied

**S124501**

MOORE (JOHNNY L.) ON H.C.  
Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304;  
*People v. Duvall* (1995) 9 Cal.4th 464, 474.)

**S026872**

PEOPLE v. VALDEZ (ALFREDO)  
Stay of execution order filed

Appointed counsel for condemned prisoner Alfredo Reyes Valdez represents that she will submit to the United States Supreme Court a timely filed petition for writ of certiorari seeking review of this court's decision affirming the judgment of death. Moreover, appointed counsel has filed a capital-related petition for writ of habeas corpus on behalf of Alfredo Reyes Valdez in this court, and the disposition of that petition is pending. Accordingly, the application for stay of execution is granted and execution of the judgment of death entered against Alfredo Reyes Valdez by the Los Angeles Superior Court (No. KA007782), and affirmed by this court on January 6, 2004 (32 Cal.4th 73), is hereby stayed pending the last to occur of the following: final determination of any timely filed petition for writ of certiorari in the United States Supreme Court, and this court's disposition of Alfredo Reyes Valdez's capital-related petition for writ of habeas

corpus. If the petition for writ of habeas corpus is denied, and if a petition for writ of certiorari is not submitted within the time prescribed, this stay will terminate when the time for submitting such petition has expired.

**S120217**

A100102 First Appellate District,  
Division Three

**FURIA v. HELM**

Depublication request denied (case closed)

**S122407**

G030406 Fourth Appellate District,  
Division Three

**ESPINOZA v. CLASSIC PIZZA**

Depublication request denied (case closed)

The request for an order directing depublication of the opinion in the above-entitled appeal is denied.

The request for an order directing further publication of the opinion in the above-entitled appeal is denied.

**S122573**

B167581 Second Appellate District,  
Division One

**JOHNSON v. CALIFORNIA LABOR  
COMMISSIONER**

Publication request denied (case closed)

**S122580**

H025313 Sixth Appellate District

**BILODEAU v. RUDO**

Publication request denied (case closed)

**S122773**

C043242 Third Appellate District

**BLANTON v. GOZZA**

Publication request denied (case closed)

**S123068**

B165778 Second Appellate District,  
Division Eight

**C. (JEANNIE), IN RE**

Publication request denied (case closed)

**S123183**

G032358 Fourth Appellate District,  
Division Three

**GREENBROOK v. TEZAK**

Publication request denied (case closed)

**S123829**

B160624 Second Appellate District,  
Division Six

**OCHS v. PACIFICARE OF CALIFORNIA**

Depublication request denied (case closed)

**S106796**

E029354 Fourth Appellate District,  
Division Two

PEOPLE v. OATES

Time extended to consider modification or rehearing  
to July 23, 2004.

**S111494**

D037680 Fourth Appellate District,  
Division One

PEOPLE v. KONOW

Time extended to consider modification or rehearing  
to July 21, 2004.

**S034800**

PEOPLE v. DEHOYOS (RICHARD L.)

Extension of time granted

to May 20, 2004 for appellant to file a reply to  
respondent's opposition to the motion to correct  
or decertify the record.

**S042224**

PEOPLE v. CRUZ (THOMAS V.)

Extension of time granted

to May 26, 2004 to file appellant's reply brief.  
Extension is granted based upon counsel Lisa  
Short's representation that she anticipates filing  
that brief by 5/26/2004. After that date, no  
further extension will be granted.

**S042323**

PEOPLE v. BURNEY (SHAUN K.)

Extension of time granted

to July 13, 2004 to file appellant's reply brief.  
After that date, only two further extensions  
totaling about 100 additional days will be  
granted. Extension is granted based upon  
counsel Geraldine S. Russell's representation  
that she anticipates filing that brief by  
10/25/2004.

**S045060**

PEOPLE v. LOKER (KEITH T.)

Extension of time granted

to July 6, 2004 to file respondent's brief. After  
that date, only one further extension totaling

about 60 additional days will be granted. Extension is granted based upon Deputy Attorney General Holley A. Hoffman's representation that she anticipates filing that brief by 8/31/2004.

**S046816**

PEOPLE v. THORNTON (MARK S.)  
Extension of time granted

to July 19, 2004 to file respondent's brief. After that date, only two further extensions totaling about 100 additional days will be granted. Extension is granted based upon Deputy Attorney General John R. Gorey's representation that he anticipates filing that brief by 10/29/2004.

**S067394**

PEOPLE v. CAPISTRANO (JOHN L.)  
Extension of time granted

to July 12, 2004 to file appellant's opening brief. The court anticipates that after that date, only one further extension totaling about 60 additional days will be granted. Counsel is ordered to inform his or her supervising attorney, if any, of this schedule, and to take all steps necessary to meet it.

**S068536**

PEOPLE v. MCWHORTER (RICHARD)  
Extension of time granted

to July 12, 2004 to file appellant's opening brief. After that date, only nine further extensions totaling about 500 additional days will be granted. Extension is granted based upon Deputy State Public Defender David S. Adam's representation that he anticipates filing that brief by mid-12/2005.

**S069685**

PRICE (CURTIS F.) ON H.C.  
Extension of time granted

to June 7, 2004 to file the traverse to the return to the order to show cause.

**S076999**

PEOPLE v. SOUZA (MATTHEW A.)  
Extension of time granted

to July 16, 2004 to file appellant's opening brief.

**S089623**

PEOPLE v. WILSON (LESTER)  
Extension of time granted

to July 6, 2004 to file appellant's opening brief.  
After that date, no further extension will be  
granted. Extension is granted based upon  
counsel Patrick Morgan Ford's representation  
that he anticipates filing that brief by 7/3/2004.

**S120084**

MILLWEE (DONALD R.) ON H.C.  
Extension of time granted

to May 25, 2004 to file the informal response to  
the petition for writ of habeas corpus. Extension  
is granted based upon Deputy Attorney General  
Susan E. Miller's representation that she  
anticipates filing that document by 5/25/2004.  
After that date, no further extension will be  
granted.

**S121004**

DANKS (JOSEPH MARTIN) ON H.C.  
Extension of time granted

to June 9, 2004 to file the informal response to  
the petition for writ of habeas corpus. Extension  
is granted based upon Deputy Attorney General  
Lloyd G. Carter's representation that he  
anticipates filing that document by 6/9/2004.  
After that date, no further extension will be  
granted.

**S025355**

PEOPLE v. BRIDGES (EDWARD DEAN)  
Counsel appointment order filed

The order appointing Michael G. Millman, as  
Executive Director of the California Appellate  
Project in San Francisco, to serve as interim  
appellate counsel of record for appellant

Edward Dean Bridges, filed January 5, 2004, is hereby vacated.

Cliff Gardner is hereby appointed to represent appellant Edward Dean Bridges for the direct appeal in the above automatic appeal now pending in this court. Gardner may file a supplemental appellant's brief on behalf of appellant Edward Dean Bridges on or before April 29, 2005.

Executive Director Millman shall continue to serve as interim habeas corpus/executive clemency counsel of record for appellant Edward Dean Bridges.

**S027730**

PEOPLE v. ALFARO (MARIA)

Withdrawal of counsel allowed by order

Good cause appearing, the application of appointed associate counsel for permission to withdraw as attorney of record for appellant Maria del Rosio Alfaro, filed May 3, 2004, is granted.

The order appointing Nanci L. Clarence as associate counsel of record for appellant Maria del Rosio Alfaro, filed June 25, 1997, is hereby vacated.

Karen L. Snell shall remain as counsel of record for appellant Maria del Rosio Alfaro for both the direct appeal and related state habeas corpus/executive clemency proceedings, in the above automatic appeal now pending in this court.

**S050102**

PEOPLE v. HENSLEY (PAUL L.)

Record correction granted

Appellant's "Motion for Order Compelling the Superior Court to Complete and Correct the Record in Automatic Capital Appeal," filed on March 29, 2004, is granted. The clerk of the Superior Court of San Joaquin County is ordered to cause the transcripts prepared by defense counsel of People's Exh. 338-A, 338-B, 339-A, and 340 to be made a part of the record on appeal in *People v. Paul Loyde Hensley* (San

Joaquin Superior Court No. SC054773A). The clerk of the Superior Court of Sacramento County is ordered to provide to the clerk of the Superior Court of San Joaquin County certified copies of its records in *People v. Paul Loyde Hensley* (Sacramento Superior Court Nos. 92F09357 and 93F03740), as well as reporter's transcripts for all proceedings related to these cases. The clerk of the Superior Court of San Joaquin County is ordered to augment the record on appeal in case number SC054773A to include these records from the Superior Court of Sacramento County. It is further ordered that, pending receipt of the transcripts of People's Exh. 338-A, 338-B, 339-A, and 340 and receipt of the relevant records in cases number 92F09357 and 93F03740 from the Superior Court of Sacramento County, the certification of the record on appeal of case number SC054773A in the Superior Court of San Joaquin County is stayed.

**S124014**

GONZALEZ v. W.C.A.B. (TOM BELL CHEVROLET)  
Transferred to CA 2

Petition for writ of review is transferred to the Court of Appeal, Fourth Appellate District, Division Two. (Cal. Rules of Court, rule 47.1)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Brown, and Moreno, JJ.

**S124328**

GONZALEZ v. WCAB (COUNTY OF SAN BERNARDINO)  
Transferred to CA 2

Petition for writ of review is transferred to the Court of Appeal, Fourth Appellate District, Division Two. (Cal. Rules of Court, rule 47.1)

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Brown, and Moreno, JJ.

**S122086**

MACPHEE ON DISCIPLINE

Petition for writ of review denied; disbarred

Petition for writ of review DENIED.

It is hereby ordered that **JAMES MICHAEL MACPHEE, State Bar No. 80355**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.\* Costs are awarded to the State Bar.

\*(See Bus. & Prof. Code, § 6126, subd. (c).)



